

REMARKS

This responds to the Final Office Action dated August 5, 2010.

Claims 1, 8, 16, and 23 are amended; claims 7, 9-10, and 26 were previously canceled, without prejudice to or disclaimer by the Applicant; as a result, claims 1-6, 8, 11-25, and 27-28 are now pending in this application.

Example support for the amendments may be found throughout the original filed specification. By way of example only the learned Examiner's attention is directed to the original filed specification page 10 line 28 and continuing to page 11 line 2, *etc.*

Double Patenting Rejection

Claims 1-6, 8, 10-25, 27 and 28 are provisionally rejected on the ground of non statutory obviousness-type double patenting as being unpatentable over claims 1, 3-15, 17-22 and 24-26 of co-pending U.S. Patent Application Serial No. 10/814,983.

This is a provisional rejection and as such Applicant is not required to submit a Terminal Disclaimer at this point in time since there are no claims of record that stand allowed. Moreover, Applicant does not admit that the claims are obvious in view of U.S. Application Serial No. 10/814,983. However, should claims become allowable Applicant will at that time properly submit a Terminal Disclaimer in compliance with 37 C.F.R. § 1.321(b)(iv).

The Rejection of Claims Under § 103

Claims 1 -6, 8, 11-25, 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boneh et al. (U.S. 20040015725) in view of Aziz et al. (U.S. 6,643,701). Obviousness requires that each and every element be taught or suggested in the proposed combination of references.

The Examiner has relied upon Aziz in the combination for teaching a reverse proxy that operates within a local environment of the client; rather than the server, which is the case with reverse proxy arrangements.

Applicant submits that Aziz provides a relay that operates and processes on a device and an environment that is different from the client and the server. So, although Aziz does not

specifically show a reverse proxy, *per se*, a relay mechanism is shown but that relay mechanism processes on its own independent device and its own independent environment. Specifically, the Examiner's attention is directed to FIG. 5 of Aziz where the relay is labeled as 560 and the client is labeled as 500 and a server is labeled as 530 all interface via the Internet 590. This diagram is self-explanatory in that the relay 560 processes in its own independent environment and on its own independent machine. Column 6 lines 11-12 confirm that the relay 560 interfaces with the client 500 via the Internet and also confirms that each device (client 500, server 530, and relay 560) includes its own processing environment and machine lines 11-27.

So, Aziz may show a relay that services a server from an independent environment over the network from that which is associated with the server but it clearly does not show, suggest, nor even discuss a relay that processes within a same computing environment as the client.

Applicant has amended the independent claims to make this point of distinction clear and as such does not believe the combination teaches each and every element of the amended independent claims.

As such, Applicant respectfully requests that the rejections of record be withdrawn and the pending claims be allowed.

Reservation of Rights

In the interest of clarity and brevity, Applicant may not have equally addressed every assertion made in the Office Action, however, this does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record is relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone the undersigned at (513) 942-0224 to facilitate prosecution of this application.

If necessary, please charge any additional fees or deficiencies, or credit any overpayments to Deposit Account No. 19-0743.

Respectfully submitted,

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